

**DENTAL BOARD OF CALIFORNIA**

1432 HOWE AVENUE, SUITE 85, SACRAMENTO, CA 95825-3241  
TELEPHONE: (916) 263-2300  
FAX: (916) 263-2140

**Chapter 4 of Division 2 Business and Professions Code****Article 2.85. Use of Oral Conscious Sedation for Pediatric Patients**

*Article 2.85 was added by Stats. 1998, c. 513*

**1647.10.** As used in this article:

(a) "Oral conscious sedation" means a minimally depressed level of consciousness produced by oral medication that retains the patient's ability to maintain independently and continuously an airway, and respond appropriately to physical stimulation and verbal command.

(b) "Minor patient" means a dental patient under the age of 13 years.

(c) "Certification" means the issuance of a certificate to a dentist licensed by the board who provides the board with his or her name, and the location where the administration of oral conscious sedation will occur, and fulfills the requirements specified in Sections 1647.12 and 1647.13.

**1647.11.** (a) Notwithstanding subdivision (a) of Section 1647.1, after December 31, 2000, no dentist shall administer oral conscious sedation on an outpatient basis to a minor patient unless one of the following conditions is met:

(1) The dentist possesses a current license in good standing to practice dentistry in California and either holds a valid general anesthesia permit, conscious sedation permit, or has been certified by the board, pursuant to Section 1647.12, to administer oral sedation to minor patients.

(2) The dentist possesses a current permit issued under Section 1638 or 1640 and either holds a valid general anesthesia permit or conscious sedation permit or possesses a certificate as a provider of oral conscious sedation to minor patients in compliance with, and pursuant to, this article.

(b) Certification as a provider of oral conscious sedation to minor patients expires at the same time the license or permit of the dentist expires unless renewed at the same time the dentist's license or permit is renewed after its issuance, unless certification is renewed as provided in this article.

(c) This article shall not apply to the administration of local anesthesia or a mixture of nitrous oxide and oxygen or to the administration, dispensing, or prescription of postoperative medications.

Amended by stats. 2000, c. 9 (AB 869)

**1647.12** A dentist who desires to administer, or order the administration of, oral conscious sedation for minor patients, who does not hold a general anesthesia permit as provided in Sections 1646.1 and 1646.2 or a conscious sedation permit as provided in Sections 1647.2 and 1647.3, shall register his or her name with the board on a board-prescribed registration form. The dentist shall submit the registration fee and evidence showing that he or she satisfies any of the following requirements:

(a) Satisfactory completion of a postgraduate program in oral and maxillofacial surgery, pediatric dentistry, or periodontics at a dental school approved by either the Commission on Dental Accreditation or a comparable organization approved by the board.

(b) Satisfactory completion of a general practice residency or other advanced education in a general dentistry program approved by the board.

(c) Satisfactory completion of a board-approved educational program on oral medications and sedation.  
(1647.12 amended by Stats. 2001, c. 728 (S.B. 724))

**1647.13.** A certificate holder shall be required to complete a minimum of 7 hours of approved courses of study related to oral conscious sedation of minor patients as a condition of certification renewal as an oral conscious sedation provider. Those courses of study shall be accredited toward any continuing education required by the board pursuant to Section 1645.

**1647.14.** (a) A physical evaluation and medical history shall be taken before the administration of, oral conscious sedation to a minor. Any dentist who administers, or orders the administration of, oral conscious sedation to a minor shall maintain records of the physical evaluation, medical history, and oral conscious sedation procedures used as required by the board regulations.

(b) A dentist who administers, or who orders the administration of, oral sedation for a minor patient shall be physically present in the treatment facility while the patient is sedated and shall be present until discharge of the patient from the facility.

(c) The drugs and techniques used in oral conscious sedation to minors shall have a margin of safety wide enough to render unintended loss of consciousness unlikely.

**1647.15.** The fee for an application for initial certification or renewal under this article shall not exceed the amount necessary to cover administration and enforcement costs incurred by the board in carrying out this article. The listed fee may be prorated based upon the date of the renewal of the dentist's license or permit.

**1647.16.** Any office in which oral conscious sedation of minor patients is conducted pursuant to this article shall, unless otherwise provided by law, meet the facilities and equipment standards set forth by the board in regulation.

**1647.17.** A violation of any provision of this article constitutes unprofessional conduct and is grounds for the revocation or suspension of the dentist's permit, certificate, license, or all three, or the dentist may be reprimanded or placed on probation. The proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part I of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.



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[www.dbc.ca.gov](http://www.dbc.ca.gov)

## **Title 16, California Code of Regulations**

### **Article 5.5. Oral Conscious Sedation**

#### **1044. Definitions**

For purposes of Article 2.85, of Chapter 4, of Division 2 of the Code, the terms set forth below shall be defined as follows:

(a) "Outpatient" means a patient under the age of 13 treated in a treatment facility which is not accredited by the Joint Commission on Health Care Organizations or by an accrediting entity approved by the Medical Board of California pursuant to Chapter 1.3 of Division 2 of the Health and Safety Code (commencing with section 1248)

(b) "Physical evaluation" means recording patient age, weight, and general health, along with any known or suspected medically compromising conditions.

(c) A patient under oral conscious sedation shall be considered "sedated" for that period of time beginning with the administration of oral conscious sedation and continuing until that time when the dental procedures have been completed, and after the maximum effects of all agents have been experienced by the patient.

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1647.10 and 1647.14, Business and Professions Code.

#### **1044.1.**

A dentist shall not be required to possess an oral conscious sedation certificate if the oral conscious sedation administered to his or her minor patient is directly administered and monitored by a dentist who possesses a general anesthesia permit, conscious sedation permit, or oral conscious sedation certificate or a licensed physician and surgeon who possesses a general anesthesia permit. However, the office in which the oral conscious sedation is administered shall meet the facilities and equipment standards set forth in Section 1044.5.

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Section 1647.10, Business and Professions Code.)

#### **1044.2.**

For purposes of Section 1647.12(a)(2), a general practice residency or other advanced education in a general dentistry program approved by the Board shall be deemed to be approved by the board.

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1647.10 and 1647.12, Business and Professions Code.

### **1044.3. Board Approved Education**

(a) The goal of an instructional program in oral medications and sedation is to provide the educational opportunity for dentists to receive training in the techniques and skills required to safely and effectively administer oral pharmacologic agents, alone or in combination with nitrous oxide-oxygen inhalation, for the purpose of obtaining conscious sedation in the minor dental patient.

(b) The educational program shall be in a facility approved by the Board and shall consist of satisfactory completion of at least 25 hours of instruction including a clinical component utilizing at least one minor patient. The course shall include but not be limited to, the following areas:

(1) Historical, philosophical, and legal aspects of oral conscious sedation of minor dental patients, including the Business and Professions Code.

(2) Indications and contraindications for the utilization of oral conscious sedation in minor dental patients.

(3) Patient evaluation and selection through a review of the medical history, physical assessment, and medical consultation.

(4) Definitions and characteristics for levels of sedation achieved with oral sedative agents, with special emphasis on the distinctions between conscious sedation, deep sedation, and general anesthesia as recognized by such organizations as the American Dental Association and the American Academy of Pediatric Dentistry and the Dental Board of California.

(5) Review of respiratory and circulatory physiology and related anatomy, with special emphasis on, and clinical experience in, establishing and maintaining a patent airway in the minor patient.

(6) Pharmacology of agents used in contemporary oral conscious sedation techniques, including drug interactions, incompatibilities and side effects and adverse reactions.

(7) Indications, contraindications and technique considerations in the use of different contemporary oral conscious sedation modalities for minor dental patients.

(8) Patient monitoring during all stages of the procedure by clinical observation and appropriate mechanical devices for responsiveness, airway patency, and recording of vital signs.

(9) Importance of and techniques for maintaining proper documentation of the procedure, including aspects of informed consent, pre and post operative instructions, dietary considerations, preoperative health evaluation, rationale for the procedure, baseline and intermittent vital signs, a detailed record of all oral and inhalation drugs administered, the patient response to the drugs, and recovery and discharge criteria.

(10) Prevention, recognition and management of complications and life-threatening situations that may arise during oral conscious sedation of the minor dental patient, including the principles of pediatric advanced life support.

(c) A provider of a course in oral medications and sedation intending to meet the requirements of this section shall submit to the Board an application on form OCS-5 (Rev. 10/99), Application for Course Approval. The Board may approve or deny approval of any such course. Approval shall be granted after an evaluation of all components of the course has been performed and such evaluation indicates that the course meets the requirements of this section.

(d) Approval by the Board of a course in oral medications and sedation shall remain in effect for a period of twenty-four months, unless withdrawn sooner, after which a new application for approval must be submitted to the Board.

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1647.10 and 1647.12, Business and Professions Code.

#### **1044.4. Documentation of 10 Cases.**

Note: Authority cited: Section 1647.12(a)(4), Business and Professions Code.  
Repealer Stats. 2001, c. 728 (S.B. 724) effective 1-1-2002

#### **1044.5. Facility and Equipment Standards.**

A facility in which oral conscious sedation is administered to minor patients pursuant to this article shall meet the standards set forth below.

(a) Facility and Equipment.

(1) An operatory large enough to adequately accommodate the patient and permit a team consisting of at least three individuals to freely move about the patient.

(2) A table or dental chair which permits the patient to be positioned so the attending team can maintain the airway, quickly alter patient position in an emergency, and provide a firm platform for the management of cardiopulmonary resuscitation.

(3) A lighting system which is adequate to permit evaluation of the patient's skin and mucosal color and a backup lighting system which is battery powered and of sufficient intensity to permit completion of any treatment which may be underway at the time of a general power failure.

(4) An appropriate functional suctioning device that permits aspiration of the oral and pharyngeal cavities. A backup suction device that can function at the time of general power failure must also be available.

(5) A positive-pressure oxygen delivery system capable of administering greater than 90% oxygen at a 10 liter/minute flow for at least sixty minutes (650 liter "E" cylinder), even in the event of a general power failure. All equipment must be capable of accommodating minor patients of all ages and sizes.

(6) Inhalation sedation equipment, if used in conjunction with oral sedation, must have the capacity for delivering 100%, and never less than 25%, oxygen concentration at a flow rate appropriate for a minor patient's size, and have a fail-safe system. The equipment must be maintained and checked for accuracy at least annually.

(b) Ancillary equipment, which must include the following, and be maintained in good operating condition:

(1) Oral airways capable of accommodating minor patients of all ages and sizes.

(2) A sphygmomanometer with cuffs of appropriate size for minor patients of all ages and sizes.

(3) A precordial/pretracheal stethoscope.

(4) A pulse oximeter.

(c) The following records shall be maintained:

(1) An adequate medical history and physical evaluation, updated prior to each administration of oral conscious sedation. Such records shall include, but are not limited to, the age, sex, weight, risk assessment (American Society of Anesthesiologists Classification), and rationale for sedation of the minor patient as well as written informed consent of the parent or legal guardian of the patient.

(2) Oral conscious sedation records shall include baseline vital signs. If obtaining baseline vital signs is prevented by the patient's physical resistance or emotional condition, the reason or reasons must be documented. The records shall also include intermittent quantitative monitoring and recording of oxygen saturation, heart and respiratory rates, blood pressure as appropriate for specific techniques, the name, dose and time of administration of all drugs administered including local and inhalation anesthetics, the length of the procedure, any complications of oral sedation, and a statement of the patient's condition at the time of discharge.

(d) An emergency cart or kit shall be available and readily accessible and shall include the necessary and appropriate drugs and age- and size-appropriate equipment to resuscitate a nonbreathing and unconscious minor patient and provide continuous support while the patient is transported to a medical facility. There must be documentation that all emergency equipment and drugs are checked and maintained on a prudent and regularly scheduled basis. Emergency drugs of the following types shall be available:

- (1) Vasopressor
- (2) Corticosteroid
- (3) Bronchodilator
- (4) Appropriate drug antagonists
- (5) Antihistaminic
- (6) Anticholinergic
- (7) Anticonvulsant
- (8) Oxygen
- (9) Dextrose or other antihypoglycemic

Note: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1647.10 and 1647.16, Business and Professions Code.

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**APPLICATION FOR AN  
 ORAL CONSCIOUS  
 SEDATION CERTIFICATE**

(Sections 1647.10-1647.17  
 Business and Professions Code;  
 Title 16 California Code of Regulations  
 Sections 1044 - 1044.5)

Receipt No. \_\_\_\_\_ RC \_\_\_\_\_

Amount \_\_\_\_\_ Initials \_\_\_\_\_

Permit No. \_\_\_\_\_ Issued \_\_\_\_\_

**FEE: \$200**

(must be enclosed with application)  
 Section 1647.15 - Business and Professions Code  
 Section 1021 Title 16 California Code of Regulations

**TYPE OR PRINT**

Name \_\_\_\_\_ Birthdate \_\_\_\_\_ Social Security No. \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_ phone \_\_\_\_\_

Do you want the address of record for your dental license to be the same as the address listed on this application? If yes, Board records will reflect the above as your address of record. Yes \_\_\_\_\_ No \_\_\_\_\_  
 Note: When the residence is used as the address of record it is public information.

**Type of Practice**

OMS ☐  
 Periodontics ☐ Dental License \_\_\_\_\_  
 Pediatric Dentistry ☐  
 Other ☐ \_\_\_\_\_

**METHOD OF QUALIFICATION – Indicate under which method listed below you qualify for an oral conscious sedation certificate and attach appropriate documentation.**

- ☐ Successful completion of a postgraduate program in oral and maxillofacial surgery, pediatric dentistry, or periodontics approved by the Commission on Dental Accreditation or a comparable organization approved by the Board. Attach documented proof of your qualification.
- ☐ Successful completion of a general practice residency or other advanced education in a general dentistry program approved by the Board. Attach documentation of completion.
- ☐ Successful completion of a Board-approved educational program on oral medications and sedation. Applicant must provide completed Form OCS-2(rev 10/99) to document qualification.

**NOTE: By initialing below and completing the certification, you are certifying that any location where you administer oral conscious sedation to minor patients meets the Board's requirements set forth in regulation and in this application.**

**Any office in which oral conscious sedation is administered to minor patients shall meet the following standards.**

**FACILITIES AND EQUIPMENT**

1. An operatory large enough to adequately accommodate the patient and permit a team consisting of at least three individuals to freely move about the patient. Initial\_\_\_\_\_
2. A table or dental chair that permits the patient to be positioned so the attending team can maintain the airway, quickly alter patient position in an emergency and that provides a firm platform for the management of cardiopulmonary resuscitation. Initial\_\_\_\_\_
3. A lighting system that is adequate to permit evaluation of the patient's skin and mucosal color and a backup lighting system that is battery-powered and of sufficient intensity to permit completion of any treatment that may be underway at the time of a general power failure. Initial\_\_\_\_\_
4. An appropriate functional suctioning device that permits aspiration of the oral and pharyngeal cavities. A backup suction device that can function at the time of general power failure must also be available. Initial\_\_\_\_\_
5. A positive-pressure oxygen delivery system capable of administering greater than 90% oxygen at a 10 liter/minute flow for at least sixty minutes (650 liter "E" cylinder), even in the event of a general power failure. All equipment must be capable of accommodating minor patients of all ages and sizes. List serial number \_\_\_\_\_
6. Inhalation sedation equipment, if used in conjunction with oral sedation, must have the capacity for delivering 100%, and never less than 25%, oxygen concentration at a flow rate appropriate for a minor patient's size and have a fail-safe system. The equipment must be maintained and checked for accuracy at least annually. Initial\_\_\_\_\_
7. Ancillary equipment maintained in good operating condition, which must include all of the following:
  - (a) Oral airways capable of accommodating minor patients of all ages and sizes.
  - (b) Sphygmomanometer with cuffs of appropriate size for minor patients of all ages and sizes.
  - (c) Precordial/pretracheal stethoscope.
  - (d) Pulse oximeter. Initial\_\_\_\_\_

**RECORDS**

1. Adequate medical history and physical evaluation records updated prior to each administration of oral conscious sedation that show at a minimum:
  - (a) Name, age, sex and weight.
  - (b) ASA Risk Assessment (American Society of Anesthesiologists Classification)
  - (c) Rationale for sedation of the minor patient Initial\_\_\_\_\_
2. Oral Conscious Sedation records which show:
  - (a) Baseline vital signs. If obtaining baseline vital signs is prevented by the patient's physical resistance or emotional condition, the reason or reasons must be documented.
  - (b) Intermittent quantitative monitoring of oxygen saturation, heart and respiratory rates and blood pressure as appropriate for specific techniques.
  - (c) Drugs administered, amounts administered and time or times administered, including local and inhalation anesthetics.
  - (d) Length of the procedure.
  - (e) Any complication of oral sedation.
  - (f) Statement of patient's condition at the time of discharge. Initial\_\_\_\_\_
3. Written informed consent of the parent or guardian. Initial\_\_\_\_\_



**EMERGENCY CART OR KIT**

1. Equipment and drugs appropriate for the age and size of the patients to resuscitate a non breathing and unconscious minor patient and provide continuous support while the patient is transported to a medical facility.
  2. Vasopressor
  3. Corticosteroid
  3. Bronchodilator
  4. Appropriate drug antagonists
  5. Antihistaminic
  6. Anticholinergic
  7. Anticonvulsant
  8. Oxygen
  9. Dextrose or other antihypoglycemic
  10. Documentation that all emergency equipment and drugs are checked and maintained on a prudent and regularly scheduled basis
- Initial\_\_\_\_\_

**EMERGENCIES** – All persons directly involved with the care of minor patients must be certified in basic cardiac life support (CPR) and recertified biennially.

Initial\_\_\_\_\_

Pursuant to Business and Professions Code 1647.14(b), a dentist who administers, or who orders the administration of oral sedation for a minor patient shall be physically present in the treatment facility while the patient is sedated and shall be present until discharge of the patient from the facility.

Initial\_\_\_\_\_

Provide the addresses of all locations of practice where you order or administer oral conscious sedation. All offices where you order or administer oral conscious sedation must meet the standards set forth by the Board of Dental Examiners in regulations adopted by the Board.

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**Certification - I certify under the penalty of perjury under the laws of the State of California that the foregoing and my attachments are true and correct and I hereby request a certificate to administer or order the administration of oral conscious sedation in my office setting(s) as specified by the Business and Professions Code and regulations adopted by the Board.**

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Date**

## INFORMATION COLLECTION AND ACCESS

The Information Practices Act, Section 1798.17 Civil Code, requires the following information to be provided when collecting information from individuals.

Agency Name: Board of Dental Examiners  
1432 Howe Avenue, Suite 85  
Sacramento, CA 95825  
Telephone: 916) 263-2300

The official responsible for information maintenance is the Executive Officer.

The authority authorizing maintenance of the information is the Business and Professions Code, Division 2, Chapter 4, Section 1600 et seq.

All items of requested information are mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 42 USCA(c)(2)(C) authorize collection of your social security number. Your social security number will be used exclusively for tax enforcement purposes and for purposes of compliance with any judgement or order for family support in accordance with section 17520 of the Family Code. If you fail to disclose your social security number, you will be reported to the Franchise Tax Board, which may assess a \$100 penalty against you.

Failure to provide all or any part of the requested information will result in the application being rejected as incomplete. The principle purpose(s) for which the information is to be used is to determine eligibility for an oral conscious sedation certificate.

Any known or foreseeable interagency or intergovernmental transfer that may be made of the information, when necessary, is to other federal, state and local law enforcement agencies.

Each individual has the right to review the files or records maintained on them by the agency, except for information exempt from disclosure pursuant to Section 6254 of the Government Code or Section 1798.40 of the Civil Code.